

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p>O.A.No.1138 of 2022</p> <p>R.P. ShindeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 02.01.2023.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.</p> <p>8. Adjourned to 02.01.2023.</p> <p>Sd/- (Medha/Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No.

of 20



I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date: 21.11.2022
	<p align="center">M.A. No.331 of 2022 in O.A. No.867 of 2021</p> <p>S.R. PednekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri L.R. Chavan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In the present case the D.E. was initiated on 30.11.2011. The Applicant retired on 30.11.2011. The Applicant has filed O.A. for his pensionary benefits which is withheld for want of completion of D.E. He is also challenging D.E. order dated 22.02.2013 as it is delayed on number of ground including delay. D.E. was initiated on same date i.e. 30.11.2011 when he retired, and the D.E. is still pending. The Enquiry Officer was appointed on 22.02.2013.</p> <p>3. Learned Advocate for the Applicant submits that the Applicant was very hopeful that one day or other day D.E. will be concluded. With this hope, he did not file the O.A. However, it is not possible to live without pensionary benefits.</p> <p>4. Hence, he has filed this O.A. along with M.A. for condonation of delay. The delay in filing the O.A. is condoned. D.E. is still continued since last 11 years.</p> <p>5. M.A. is allowed.</p> <p>6. O.A. is to be restored.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 21.11.2022</p> <p style="text-align: center;">O.A. No.867 of 2021</p> <p>S.R. PednekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri L.R. Chavan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 3. Issue notice before admission returnable on 02.01.2023. 4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 7. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed. 8. S.O. to 02.01.2023. <p style="text-align: center;">Sd/-  (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/-  (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20 _____

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 21.11.2022</p> <p align="center">O.A. No.1077 of 2022</p> <p>A.H. Kamble & Anrs.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Shri C.T. Chandratre, learned Advocate for the Applicant seeks time to file Rejoinder. Two days time is granted to file Rejoinder.</p> <p>3. S.O. to 24.11.2022.</p> <p align="center"> Sd/- (Medha Gadgil) Member (A) </p> <p align="center"> Sd/- (Mridula R. Bhatkar, J.) Chairperson </p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20 _____

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 21.11.2022</p> <p align="center">O.A. No.14 of 2022</p> <p>Dr. B.S. LohareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Shri K.R. Jagdale, learned Advocate for the Applicant has sent his leave. 2. Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents is present. 3. Admit. 4. Adjourned for Final Hearing. 5. S.O. to 09.01.2023. <p align="center"> Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson </p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 21.11.2022</p> <p align="center">O.A. No.968 of 2022</p> <p>P.B. GaikwadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant submits that the Applicant submitted online application as per advertisement dated 11.10.2021 for the post of Assistant Professor (Group – B) (Physiology). He submits that he had SEBC certificate on 11.01.2021. He further submits that he had filled form on 28.10.2021 i.e before the last date of submission of form i.e 01.11.2021. Applicants profile was updated on 31.01.2022 from Unreserved to E.W.S i.e. after cut of date. He was interviewed on 26.08.2022. Learned Advocate for the Applicant further submits that due to technical snag his profile could not be updated to E.W.S. The Applicant was repeatedly trying from 23.10.2021 till 28.10.2021.</p> <p>3. However, when we put query to the learned Advocate for the Applicant why the Applicant after having knowledge that there is a technical snag and his application is not updated, why he did not approach this Tribunal immediately as it is a case of appointment. The Applicant waited for updating the profile till 31.01.2022.</p> <p>4. Learned Advocate for the Applicant submits that he made representation that he should be considered in E.W.S. category on 18.08.2022 but his application was not considered in E.W.S. category.</p> <p align="right">[P.T.O.]</p>

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5. Learned P.O. submits that the Applicant did not make the application in time and therefore he could not be considered in E.W.S. category at the time of interview. The submission is made by learned Advocate for the Applicant that he filled his application form in E.W.S. category but it was not accepted by the online system due to technical snag, during that period and thereafter he went on trying but it was only after Jan 2022 it got updated. When the Applicant went to fill in E.W.S. category on 28.10.2021 it was open for him to approach the Tribunal when his form was not accepted online may be due to technical snag. He waited for long time. The Members who are taking the interview have no power to take decision in which category the Applicant's case should be considered other than the choices mentioned in his application. The Applicant was hence rightly considered in open category and he could not be appointed in E.W.S. category because of his number going down in the merit list.

6. Hence, we find no merit in the O.A. and the same stands dismissed.

Sd/-
(Medha Gadgil)
Member (A)

Sd/-
(Mridula R. Bhatkar, J.)
Chairperson

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

**MISSC. APPLICATION NO.261 OF 2022
IN
ORIGINAL APPLICATION NO.404 OF 2022**

1. Smt. Ratan Baban Bhosale)
Age : 61 Yrs, Occu.: Majdur in)
Social Forest Department, Pune and)
Residing at 54-Budhwar Peth,)
Kakakuwa Mansion, Laxmi Road,)
Pune - 411 002.)
2. Smt. Dhondabai Yedu Shinde.)
Age : 61 Yrs, Occu.: Majur in)
Social Forest Department, Pune and)
Residing at 54-Budhwar Peth,)
Kakakuwa Mansion, Laxmi Road,)
Pune - 411 002.) **...Applicants**

Versus

1. The State of Maharashtra.)
Through Secretary,)
Revenue & Forest Department,)
Mantralaya, Mumbai - 400 032.)
2. Conservator of Forests,)
Social Forestry, Vanbhavan,)
Gokhalenagar, 2nd Floor,)
Pune - 411 016.)
3. The Divisional Forest Officer,)
Social Forestry Division, Salunkhe)
Vihar, Wanawadi, Pune - 411 022.)
4. The Principal Chief Conservator of)
Forest, Social Forestry, M.S,)
Central Building, Pune - 411 001.) **...Respondents**

Mr. M.B. Kadam, Advocate for Applicants.

Smt. A.B. Kololgi, Presenting Officer for Respondents.

M.B. Kadam

CORAM : **A.P. KURHEKAR, MEMBER-J**

DATE : **21.11.2022**

ORDER

1. This Misc. Application is for condonation of delay of four years caused in filing O.A. for regularization of services, which is opposed by the Respondents.
2. O.A.No.404.2012 is filed by two Applicants viz. Smt. Ratan B. Bhosale and Smt. Dhondabai Y. Shinde for declaration that their services be regularized w.e.f.01.11.1994 instead of 22.01.2004 and grant retiral benefits.
3. The perusal of record reveals that Applicant Dhonabai Shinde had filed ULP Nos. 66 to 72 of 1997 before Industrial Court, Pune alleging that she was working as Labourer with the Respondents for a long time continuously for more than 240 days in each year, but Respondents have not given benefit of permanency. The Industrial Court allowed the O.A. by Judgment dated 17.11.1998 and declared that Respondents have committed unfair labour practice and further directed to give benefits of permanency to her.
4. Similarly, Applicant Smt. Ratan Bhosale had also filed ULP No.71/1997 before Industrial Court which was allowed on 22.02.1999. The Industrial Court directed Respondents to make complainants permanent w.e.f. 01.11.1994 and offered them all the benefits of permanency.
5. However, Applicants were absorbed quite belatedly by G.R. dated 22.01.2004.
6. Indeed, in terms of order of Industrial Court, they were given permanency from 01.11.1994, but they were absorbed in regular service

quite belatedly on 05.01.2004. After attaining the age of superannuation, they retired, but since they were appointed in 2004, they held not completed minimum 10 years' service for retiral benefits.

7. It is on the above background, the Applicants have filed O.A. for regularization, so that they could claim retiral benefits in the light of decision of Industrial Court.

8. Learned Presenting Officer opposed the application for condonation of delay stating that there is huge delay which is not explained properly.

9. Thus, matter pertains to absorption and claim of retiral benefits of Labourer. *Prima-facie*, as per order of Industrial Court, they were given permanency much earlier, but Government absorbed them quite belatedly in 2004.

10. Needless to mention, matter being pertain to retiral benefits, it can be termed the case of continuous cause of action, particularly when Tribunal is dealing with the claim of poor Labourers who were absorbed in service quite belatedly though as per Industrial Court order, they were given the benefit of permanency much earlier.

11. In view of above, in the interest of justice, I am inclined to condone the delay.

12. M.A.No.261/2022 is allowed and delay is condoned.

Sd/-

(A.P. KURHEKAR)
Member-J

skw

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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O.A.404/2022

Smt. R.B. Bhosale
Smt. D.Y. Shinde ... Applicants
Vs.
The State of Mah. & Ors. ... Respondents

1. Shri M.B. Kadam, learned Advocate for the Applicants and Smt. A.B. Koloigi, learned Presenting Officer for Respondents is present.

2. This O.A. has been filed with M.A.No.261/2021 for condonation of delay, which is allowed today.

3. The O.A, therefore, required to be decided on its own merit.

4. Since Respondents have already appeared in M.A, the issuance of notice is dispensed of.

5. Two weeks' time is granted to file Affidavit-in-reply.

6. This O.A. be kept along with O.A.No.758 of 2019 on 12/12/2022.



Sd/-

(A.P. Kurhekar)
Member-J
21.11.2022

(skw)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p style="text-align: center;">O.A.No.1109 of 2022</p> <p>C. M. KaduApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant stands retired on 31.05.2019. He has filed present O.A. for retiral benefits in terms of 7th Pay Commission. 3. The Applicant has already received retiral benefits in terms of 6th Pay Commission. However, difference in terms of 7th Pay Commission as well as revised pension and other benefits are not paid, and therefore, he has filed the present O.A. 4. Learned P.O. on instructions submits that steps for revised pension and other benefits in terms of 7th Pay Commission has been already taken and the bill was already submitted but it returned back with some query. 5. As such nothing is to be adjudicated in the matter. 6. The Respondents are directed to take all necessary steps to ensure that all retiral benefits in terms of 7th Pay Commission are paid to the Applicant within four weeks from today. 7. Insofar as interest on delayed payment of difference of 7th Pay Commission is concerned, the Applicant has already made representation on 11.03.2022 to Respondent No.1. Therefore, the Respondent No.1 is directed to pass appropriate order about grievance of interest within six weeks from today and it be communicated to the Applicant. 8. No order as to costs. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p>C.A.No.22 of 2021 in O.A.No.21 of 2017</p> <p>A.A. PawarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that as M.P.S.C. recommended the name of the Applicant to the post of Assistant Commissioner, Drugs by letter dated 16.11.2022, the Respondent-State is hereby directed to write letter for the compliance which are required to issue the order of her appointment.</p> <p>3. Learned P.O. submits that Secretaries in the Medical and Drugs Department who did not obeyed the order of this Tribunal are changed on 29.09.2022.</p> <p>4. Learned Advocate requests for permission to add the names of the present Secretaries.</p> <p>5. Permission granted. Amendment to be carried out forthwith. Amended copy to be served upon the concerned.</p> <p>6. Respondent-State to take note that the Contempt notice against the State is not challenged and therefore it is necessary to comply the order at the earliest.</p> <p>7. Matter adjourned to 23.11.2022 to know what steps are taken by the authority.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member(A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p>O.A.No.1129 of 2022</p> <p>Dr. P.S. PolApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant seeks for directions to Respondents No.1 to submit the details in the form of technical breaks during his service tenure as sought by the Respondent No.2 vide communication dated 15.03.2022 which is in turn based on the representation dated 22.12.2020 made by the Applicant to Respondent No.2. Learned Advocate prays that this should be decided within two weeks and Government should further decide the matter within a period of four weeks. Thereafter, after one week to communicate the decision to the applicant.</p> <p>3. Learned P.O. seeks minimum two months for deciding on the representation of the applicant.</p> <p>4. We therefore direct the Respondents finally to take decision within a span of two months from today. Respondent, Commissioner Health Service to furnish the details asked by the Department of Public Health within two weeks and further decision on the same should be taken within six weeks thereafter by the Respondent No.2. One week further is granted to communicate the same to the Applicant.</p> <p>5. In view of above directions, O.A. stands disposed of.</p> <p>Sd/-  Sd/- </p> <p>(Medha Gadgil) Member(A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate



versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p>O.A.No.993 of 2021</p> <p>A.R. JadhavApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. R.M. Kolge, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Desk Officer Mr. C.L. Gujar is present. However, we direct Mr. Anup Kumar Singh, Additional Director General of Police (Admin) to remain present before this Tribunal on 23.11.2022 along with relevant documents.</p> <p>3. Adjourned to 23.11.2022.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

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	<p>Date : 21.11.2022</p> <p>O.A.No.1119 of 2022</p> <p>S.B. BhuyanApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Mr. V.P. Potbhare, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents. 2. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 3. Issue notice before admission returnable on 19.12.2022. 4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed. 8. Adjourned to 09.12.2022. <p>Sd/-  Sd/- </p> <p>(Medha Gadgil) Member(A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p>O.A.No.1051 of 2022</p> <p>D.J. AmbilwadeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Applicant in person and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Mr. K.R. Jagdale, learned Advocate for the Applicant is absent.</p> <p>2. Applicant wants his pensionary benefits to be released. He has further challenged punishment awarded to him by the Disciplinary Authority of withholding of pension and 10% reduction in monthly pension forever and also recovery of Rs.10.08 lakhs from the payment of gratuity and pension payable to the applicant.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 19.12.2022.</p> <p>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>8. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.</p> <p>9. Adjourned to 19.12.2022.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

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DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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	<p>Date : 21.11.2022</p> <p align="center">O.A.No.943 of 2016</p> <p>Dr. C.G. GaikwadApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Mr. Bandiwadekar was absent when the matter was called out.</p> <p>3. Learned P.O. Mr. Chougule submits that the concerned persons from the Department are also absent.</p> <p>4. Adjourned to 22.11.2022.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member(A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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..... Applicant/s

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(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date : 21.11.2022</p>
	<p>O.A.No.186 of 2022</p> <p>A.A. KhedekarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Mr. Bandiwadekar was absent when the matter was called out.</p> <p>3. Matter is taken out from the caption of 'HOB'. Adjourned to 05.12.2022.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p>O.A.No.127 of 2016</p> <p>A.P. AvhadApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Mr. Bandiwadekar was absent when the matter was called out.</p> <p>3. Adjourned to 05.12.2022.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

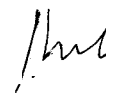
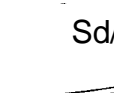
(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p>O.A.No.116 of 2021</p> <p>S.S. BhusareApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Mr. Bandiwadekar was absent when the matter was called out.</p> <p>3. Matter is taken out from the caption of 'HOB'. Adjourned to 19.12.2022.</p> <p>Sd/-  Sd/- </p> <p>(Medha Gadgil) Member(A) (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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DISTRICT

..... Applicant/s

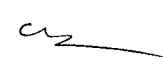
(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p>O.A.No.915 of 2016</p> <p>D.B. KanereApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer holding for Ms. Archana B.K., learned P.O. for the Respondents.</p> <p>2. Learned Advocate Mr. Lonkar was absent when the matter was called out.</p> <p>3. Adjourned to 05.12.2022.</p> <p>Sd/- (Medha Gadgil) Member(A) prk</p> <p>Sd/-  (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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DISTRICT

..... Applicant/s


(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p>O.A.No.825 of 2016</p> <p>D.B. KalokheApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. At the request of learned Advocate Mr. Chandratre matter adjourned to 09.12.2022.</p> <p>Sd/-  Sd/-</p> <p>(Medha Gadgil) Member(A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date: 21.11.2022
	<p align="center">O.A. No.864 of 2022</p> <p>V.H. RajnalwarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant prays that the decision of his proposal forwarded by the Respondent No - The Additional Inspector General of Police to the Additional Chief Secretary, Home Department (Prison) dated 01.07.2022.</p> <p>3. We therefore direct Additional Chief Secretary Home Department (Prison) to take decision on the said matter within a period of two months.</p> <p>4. S.O. to 30.01.2023.</p> <p align="center">Sd/- / Sd/-</p> <p align="center">(Medha Gadgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 21.11.2022</p> <p>O.A. No.184 of 2022</p> <p>K.E. WaghmareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has filed Affidavit-in-Sur Rejoinder.</p> <p>3. At the request of learned Advocate for the Applicant two weeks time is granted.</p> <p>4. S.O. 05.12.2022.</p> <p>Sd/- Sd/- (Medha Gadgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 21.11.2022</p> <p align="center">O.A. No.346 of 2022</p> <p>S.W. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri N.M. Pujari, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. None for Respondent No.5,7 & 9.</p> <p>2. On request of learned P.O. three weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 12.12.2022</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) / (Mridula R. Bhatkar, J.) Member (A) Chairperson</p> <p>NMN</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20 _____

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 21.11.2022</p> <p align="center">O.A. No.241 of 2022</p> <p>S.S. BansodeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. On the request of learned Advocate for the Applicant two weeks time is granted.</p> <p>3. S.O. to 12.12.2022.</p> <p align="center">Sd/-  Sd/- </p> <p align="center">(Medha Gadgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson</p> <p align="center">NMN</p>

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date : 21.11.2022

C.A.No.30 of 2021 in O.A.No.970 of 2014

V.D. ShindeApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Learned Advocate files application dated 19.10.2022 for restoration of Contempt Application. Copy is taken on record. Learned Advocate pointed out that order dated 05.10.2016 is not complied with.
3. Learned Advocate pointed out that in order dated 05.10.2016 passed in M.A.No.323/2016 in O.A.No.970/2014 has issued directions to the Respondents to fill up vacancies year-wise by considering the officers only from the date on which they acquired the prescribed eligibility criteria required for promotion to the post of District Health Officer.
4. Adjourned to 25.11.2022. In view that concerned officer from the Department is not present today.

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p>C.A.No.70 of 2022 in O.A.No.646 of 2022</p> <p>A.C. KadamApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that the Applicant was heard by the Addl. Chief Secretary, Home Department on 02.11.2022 and finally decision was taken on 18.11.2022.</p> <p>3. In view of above, matter stands disposed of.</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) / (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p>M.A.No.104 of 2022 in O.A.No.373 of 2021</p> <p>A.K. JadhavApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. As none is present from G.A.D., matter is fixed tomorrow i.e. on 22.11.2022 so as to enable the Respondents produce the order of M.A.T. Bench Nagpur dated 22.01.2022 and also order by the Maharashtra State Schedule case Committee in O.A.No.631/2019.</p> <p>3. Concerned Officer from G.A.D. Mantralaya to present tomorrow i.e. 22.11.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p align="center">C.A.No.58 of 2022 in O.A.No.863 of 2017</p> <p>C.V. BhosleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Respondents have challenged the order passed by the Tribunal and the same is pending before the Hon'ble High Court.</p> <p>3. Learned P.O. seeks one week time to file affidavit-in-reply.</p> <p>4. Learned Advocate submits that the Contempt is filed for non compliance of order dated 23.01.2020 passed in O.A.No.863/2017.</p> <p>5. Adjourned to 28.11.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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of 20

DISTRICT

..... Applicant/s


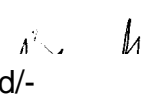
(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p>M.A.No.678 of 2022 in O.A.No.777 of 2022 with M.A.No.677 of 2022 in O.A.No.796 of 2022 with M.A.No.676 of 2022 in O.A.No.775 of 2022 with M.A.No.675 of 2022 in O.A.No.793 of 2022 with M.A.No.674 of 2022 in O.A.No.776 of 2022 with M.A.No.673 of 2022 in O.A.No.779 of 2022 with M.A.No.672 of 2022 in O.A.No.778 of 2022</p> <p>Sarole & Ors.Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Amruta Kharade, learned Advocate holding for M/S. Talekar & Assoc. learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At 4.15 p.m. learned Advocate Ms. Kharade requests for tomorrow's circulation for Final Hearing. She further prays for amendment in prayer clause and also addition of few paragraphs in O.A.</p> <p>3. We want learned Advocate to remain present as such types of circulations are taken at late stage.</p> <p>4. All matters are fixed tomorrow i.e. 22.11.2022 at 12.30 p.m.</p> <p align="center">Sd/-  Sd/- </p> <p align="center">(Medha Gadgil) Member(A)</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 21.11.2022
	O.A.No.1122 of 2022
	H.S.. ThakurApplicant Vs. The State of Maharashtra & Ors.Respondents.
	1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents. None for the Applicant.
	2. Learned P.O. points out that the Applicant Mr. Thakur prays that directions by given to the Respondents to relieve the Applicant for taking the charge of the post of Police Inspector as per the common promotion order dated 02.02.2022 as per the decision of the D.P.C. on 06.12.2021 as the sealed cover procedure is not applicable and applicant's promotion cannot be withheld.
	3. Learned P.O. points out communication dated 09.05.2022 from the office of D.G. by Mr. Arvind Jadhav to Additional C.P. Pune and copy is sent to the applicant. In the said communication the D.P.C. dated 06.12.2021 has considered the case of the applicant for promotion and arrived at conclusion that neither the D.E. nor any offence is pending against the applicant. Hence, he is eligible for promotion on 02.02.2022. However, learned P.O. points out that on 28.10.2021 as per Exhibit-G copy of FIR of offence was registered in the name of the Applicant, Mr. Thakur from Applicant bearing C.R. No.319 of 2021 at Khadki Police Station under Sections 377, 307, 494, 498 and 506. She further submits that the charge-sheet of the D.E. is served on him on 25.01.2022.
	4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
	[P.T.O.]

**Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders**

Tribunal's orders

5. Issue notice before admission returnable on 09.01.2023.

6. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

8. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

9. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.

10. Adjourned to 09.01.2023.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p align="center">O.A.No.128 of 2022</p> <p>M. N. KatteApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. D. Gugale, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, two weeks time is granted to file Rejoinder.</p> <p>3. S.O. to 05.12.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p align="center">O.A.No.153 of 2022</p> <p>R. G. SaindaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Shri K. R. Jagdale, learned Counsel for the Applicant has sent leave note. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</p> <p>2. Today, the matter is for filing Rejoinder but the same is not filed.</p> <p>3. O.A. be kept for final hearing.</p> <p>4. S.O. to 05.12.2022.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20____

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p align="center">O.A.No.574 of 2022</p> <p>R. A. LokhandeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.2. It is taken on record.</p> <p>3. O.A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 25.11.2022.</p> <p align="right">N Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p>O.A.No.356 of 2022</p> <p>Smt. S. R. KoreApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed by legal representatives of the deceased Government servant who died due to Covid-19 infection and claiming retiral benefits as well as <i>ex-gratia</i> payment of Rs.50 lakh. It is during pendency of O.A. only, the Respondents by communication dated 13.10.2022 rejected the claim of the Applicant.</p> <p>3. The Applicant, therefore, sought permission to amend O.A. so as to challenge communication dated 13.10.2022 and to add additional grounds to that effect.</p> <p>4. Perused the draft amendment and order dated 13.10.2022.</p> <p>5. Since the impugned order denying claim for <i>ex-gratia</i> payment is passed after filing of O.A., it being subsequent event, the amendment is necessitated for proper adjudication of the matter.</p> <p>6. In view of above, allowed to amend O.A. as well as relief clause. Amendment be carried out within three days.</p> <p>7. After amendment is carried out, the Respondents shall file affidavit in reply to the amendment which is to be filed within two weeks from today.</p> <p>8. Learned Counsel for the Applicant submits that he would carry amendment during the day itself.</p> <p>9. S.O. to 05.12.2022.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. of 20

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Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p align="center">M. A. No.563 of 2022 in O.A.No.889 of 2022</p> <p>P. N. JadhavApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., one week time is granted to file reply.</p> <p>3. S.O. to 29.11.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20____

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p align="center">O.A.No.713 of 2022</p> <p>Dr. V. N.Musale & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondent Nos. 1 to 3 and Shri A. Misal, learned Counsel for the Respondent No.4 are present.</p> <p>2. Today, learned Counsel for the Respondent No.4 has filed reply. It is taken on record.</p> <p>3. No reply is filed on behalf of the Respondent Nos.1 to 3 though enough time is granted. Hence, I am not inclined to grant further time.</p> <p>4. O.A. be kept for hearing without reply.</p> <p>5. S.O. to 09.12.2022.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. of 20

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p align="center">O.A.No.1023 of 2022</p> <p>V. R. Gosavi ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted to file Affidavit in Reply.</p> <p>3. S.O. to 05.12.022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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MUMBAI**

M.A./R.A./C.A. No. _____ of 20____

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p align="center">M. A. No.485 of 2022 in O.A.No.563 of 2022 with M.A.379 of 2022 in O.A.563 of 2022</p> <p>V. D. PanvalkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Aishwarya Belhekar holding for Shri P. Walimbe, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted to file reply to M. A. but the same is not filed. Hence, I am not inclined to grant further time.</p> <p>3. M.A. be kept for hearing without reply.</p> <p>4. S.O. to 05.12.2022.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p>R. A. No.26 of 2022 in O.A.No.399 of 2022</p> <p>T. D. KumbharApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has filed R.A. in respect of order dated 09.10.2022 passed in O.A.No.399/2022. 3. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 19.12.2022. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of R.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Review / Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Review / Miscellaneous Application shall stand dismissed. 9. S.O. to 19.12.2022 <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20 _____

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 21.11.2022
	<p align="center">O.A.No.1151 of 2022</p> <p>P.S. KadamApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Prerana Agavekar holding for Shri A. S. Gaikwad, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged communication dated 20.02.2020 rejecting the claim for compassionate appointment.</p> <p>3. The Applicant has not filed M.A. for condonation of delay. Since it is filed after expiration of limitation, the office has already raised objection but it is not complied with.</p> <p>4. Two weeks' time is granted to file M.A. for condonation of delay. If M.A. is filed, it be listed along with this O.A. for admission and if M.A. is not filed within time, O.A. would stands dismissed without reference to the Tribunal.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No.

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p align="center">O.A.No.1099 of 2022</p> <p>V. R. InamdarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar , learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has tendered communication dated 17.11.2022 whereby the Respondent presently attached the Applicant to Ratnagiri till general transfer of 2023. In communication, he is further stated that in general transfer of 2023, the decision about regular transfer will be taken.</p> <p>3. Learned Counsel for the Applicant submits that his client is not satisfied with it though he is temporarily attached to Ratnagiri which is one of the options given by him.</p> <p>4. Four weeks time is granted to learned P.O. to file reply.</p> <p>5. S.O. to 19.12.2022.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p style="text-align: center;">O.A.No.944 of 2022</p> <p>V. V. MeshramApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. S. Dere, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. This O.A. is filed along with M.A.No.558/2022 which is allowed today. The O.A. is, therefore, required to be decided on merit. 3. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 12.12.2022. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed. 9. S.O. to 12.12.2022. ^ Sd/- <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p>M. A. No.558 of 2022 in O.A.No.944 of 2022</p> <p>V. V. MeshramApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. S. Dere, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for condonation of delay of 3 months and 23 days caused in filing O.A. in which the Applicant sought declaration of entitlement to compassionate appointment.</p> <p>3. Indeed, the Applicant ought to have challenged the communication dated 23.06.2020 whereby request for substitution of name after deletion of name of mother has been rejected. However, the Applicant only sought direction to the Respondent to included his name in the waiting list.</p> <p>4. Learned Counsel for the Applicant sought permission to amend the prayer clause claiming relief to set aside the communication dated 23.06.2020.</p> <p>5. Allowed to amend prayer clause. It be amended and corrected immediately.</p> <p>6. Insofar as limitation issue is concerned, limitation to challenge the communication dated 23.06.2020 expired on 23.06.2021. However, it expired in Covid-19 Pandemic situation, The Hon'ble Supreme Court in Suo Motu W.P. No.03/2020 dated 10.01.2022 held that in cases where the limitation would have expired during the period between 15.03.2020 till 28.02.2022, notwithstanding the actual balance period of limitation remaining, all person shall have a limitation period of 90 days from 01.03.2022. In that event the actual balance period of limitation remaining, with effect from 01.03.2022 is greater than 90 days, that longer period shall apply. Thus, in present case, limitation having expired in Pandemic situation, the Applicant is entitled to the benefit of Hon'ble Supreme Court's order and consequently O.A. ought to have been filed up to 01.06.2022 however, despite ^{in spite} on 21.09.2022.</p> <p>7. The matter pertains to compassionate appointment, hence, in the interest of justice, M.A. is allowed so as to decide the O.A. on merit.</p> <p>8. M.A. is accordingly allowed and disposed of with no order as to costs.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20 _____

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p align="center">M. A. No.660 of 2022 in O.A.No.1153 of 2022</p> <p>Dr. J. V. Dixit & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Counsel for the Applicants and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. This is an application for leave to sue jointly. 3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately. 4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid. 5. M. A. No.660 /2022 is allowed. No order as to costs. <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 21.11.2022</p> <p align="center">O.A.No.1153 of 2022</p> <p>Dr. J. V. Dixit & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicants and MS S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The Applicants have challenged orders dated 19.01.2022, 07.06.2022, 23.09.2022, 28.09.2022 and 11.10.2022 thereby revising pay and allowances and seeking recovery of excess amount on the ground that the Applicants were not entitled to three non-compounded advance increments.</p> <p>3. Learned Counsel for the Applicants sought interim relief and has pointed out that in similar situation M.A.T. Bench Nagpur in O.A.No.745/2020 granted interim relief to stay the recovery.</p> <p>4. Learned C.P.O. opposes interim relief stating that the Applicants were not entitled to advance increment and recovery need not be stayed. She sought time to file reply.</p> <p>5. It appears that the Applicants were granted relief ^{benefit} in 2009 and they are availing till date but now it is sought to be withdrawn resulting into recovery. Whether the Applicants are entitled to benefit they availed in 2009 is the issue to be decided on merit but at this stage having considered the submission, I am inclined to stay recovery till filing of the reply.</p> <p>6. Four weeks time is granted to learned C.P.O. to file reply.</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>8. Issue notice before admission returnable on 19.12.2022.</p> <p>9. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>10. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>11. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>12. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.</p> <p>13. S.O. to 19.12.2022.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>